



Staff Report

City of Pomona Planning Commission

April 22, 2026

SUBJECT: MODCUP 000278-2024 - Per Condition of Approval #22 of Planning Commission Resolution No. 24-024, Staff was directed to bring forth MODCUP 000278-2024 for a discussion regarding code and nuisance compliance for an existing restaurant with live entertainment.

ADDRESS: **101 W. Mission Blvd, Suite 101**

APPLICANT: John Peña

PROJECT PLANNER: Irene Mouré, Assistant Planner

ENVIRONMENTAL REVIEW: This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(a) of the California CEQA Guidelines as the activity is not a project as defined in said section.

RECOMMENDATION: Receive and File staff's determination that File No(s). MODCUP 000278-2024 is complying with the conditions of approval and is not a public nuisance.

Project and Site Information:

ZONING: Pomona Corridors Specific Plan: Downtown Core Segment

ACTIVE USE: Restaurant with Live Entertainment (MODCUP-000278-2024)

Project Background and Compliance Review:

On November 13, 2024, a modification to a Conditional Use Permit (MODCUP-000278-2024) to amend conditions of approval regarding live entertainment operations for a property located at 101 W. Mission Blvd, Suite 101 was approved 5-0-0-1 by the Planning Commission. During the public hearing, the Planning Commission took public testimony from tenants who reside in the residential portions of the site. Testimony was given regarding the excessive noise levels from the business' operations. Moreover, the applicant has a history of code violations related to excessive noise levels and operating outside of conditions of approval for a previous entitlement.

After all pertinent testimony and staff report findings were considered, the Planning Commission added a condition of approval that directs staff to bring forward the approved MODCUP 000278-2024 for compliance review and to ensure the applicant's business operations are not constituting a nuisance that is detrimental to the public peace, health, safety, or welfare of residents and visitors.

Since the approval of MODCUP 000287-2024 on November 13, 2024, to April 14, 2026, there have not been any complaints received or code violations open against the applicant or the business operations during this timeframe.

Conclusion:

Based on City records, the business has been operating in compliance with the conditions of approval set forth in PC Resolution No. 24-024. Therefore, at this time, the operations are not constituting a nuisance that are detrimental to the public peace, health, safety or welfare of the residential community and visitors.

Environmental Review:

Staff has determined that this project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(a) of the California CEQA Guidelines.

Attachments:

1. Planning Commission Resolution No. 24-024